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DEC 24 2005

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24 Dec 2005

Re: Application No. 10/031,942 – Notice of appeal and brief of support

Dear Sir/Madam,

Attached is a notice of appeal for application 10/031,942, and brief in support of the appeal in three copies.

Also attached are forms pto-2038 with payments for both the appeal and the brief. However, this is the second time that I submit a notice and brief in this case. The first submission of notice and brief, filed with payments on 16 Aug 2004, was completely ignored because the examiner resumed execution, but the fees were taken. I therefore believe that the payments for the 16 Aug 2004 notice and brief should count towards the current notice and brief, and I should not need to pay this time. Alternatively, I should be refunded the payments of the 16 Aug 2004.

Thanks,

Yehouda HARPAZ

